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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/254,900 | |
| | Filing Date | March 12, 1999 | |
| | First Named Inventor | Shlomo Ben-Haim, et al. | |
| | Group Art Unit | 3762 | |
| | Examiner Name | J. Jastrzab | |
| Total Number of Pages in This Submission | 10 | Attorney Docket Number | 20066-13 |

| ENCLOSURES (check all that apply) | | |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | William H. Dippert Cowan, Liebowitz & Latman, P.C. |
| Signature | <i>William H. Dippert</i> |
| Date | September 25, 2001 |

| CERTIFICATE OF MAILING | |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <u>Sept. 25, 2001</u> | |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shlomo Ben-Haim, et al.

Examiner: J. Jastrzab

Serial No.: 09/254,900

Group Art Unit: 3762

Filed: March 12, 1999

For: **CARDIAC OUTPUT ENHANCED PACEMAKER**

September 25, 2001

Box AF

Assistant Commissioner for Patents

Washington, D.C. 20231

AMENDMENT UNDER 37 C.F.R. § 1.116

S I R:

Please amend the above application as follows:

IN THE CLAIMS:

Cancel Claims 1 to 53 without prejudice and add the following claims:

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1 ~~54~~. (NEW) Apparatus for heart pacing with cardiac output modification, comprising;

one or more electrodes adapted to apply electrical signals to cardiac muscle

B¹ segments;

signal generation circuitry adapted to apply an excitatory electrical pulse to at least one of the electrodes to pace the heart and a non-excitatory stimulation pulse of a magnitude and at a timing at which it is unable to generate a propagating action potential to at least one of the one or more electrodes to modify the cardiac output; and

an electrode which senses cardiac electrical activity and is coupled to the signal generation circuitry,

wherein the circuitry detects a QT interval in the cardiac electrical activity.